



Order Filed on April 12, 2017 by
Clerk U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

MILSTEAD & ASSOCIATES, LLC

By: Andrew M. Lubin

Atty. ID: AL0814

1 E. Stow Road

Marlton, NJ 08053

(856) 482-1400

File No. 200596-3

Attorneys for Movant: Select Portfolio Servicing, Inc.
as servicing agent for U.S. Bank NA, successor
trustee to Bank of America, NA, successor in interest
to LaSalle Bank NA, as trustee, on behalf of the
holders of the Washington Mutual Mortgage Pass-
Through Certificates, WMALT Series 2007-OC1

In Re:

Gaetano M. DiMatteo and Kelly A. DiMatteo

Case No.: 15-23470-JNP

Chapter 13

Hearing Date: March 28, 2017

Time: 10:00 AM

Judge: Jerrold N Poslusny, Jr

**ORDER RESOLVING
MOTION FOR RELIEF FROM AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: April 12, 2017



Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

Upon the motion of Milstead & Associates, LLC, Attorneys for the Secured Creditor, Select Portfolio Servicing, Inc. as servicing agent for U.S. Bank NA, successor trustee to Bank of America, NA, successor in interest to LaSalle Bank NA, as trustee, on behalf of the holders of the Washington Mutual Mortgage Pass-Through Certificates, WMALT Series 2007-OC1 (“Mortgagee”), under Bankruptcy Code section 362(d) for relief from the Automatic Stay as to certain real property as set forth in the motion papers and the within Order, and the parties, by and through their respective counsel, Daniel McCormack, Esquire, for the Debtors, and for good cause shown, it is ORDERED as follows:

1. The automatic stay as provided for by 11 U.S.C. §362 shall remain in full force and effect conditioned upon the terms and conditions set forth herein.
2. Mortgagee is the holder of a mortgage which is a lien on real property owned by Debtors known as and located at 1129 Jefferson Avenue, Bellmawr, NJ 08031 (the “Property”).
3. The parties acknowledge that Debtors have been offered a trial modification plan and Debtors are responsible for trial period payments of \$1,114.22, scheduled to begin on, March 1, 2017 and continue through and including May 1, 2017.
4. In the event that the Debtors fail to make timely trial modification payments, Mortgagee may obtain an Order Vacating the Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating that the Debtors have failed to make timely trial modification payments
5. In the event that Debtors should fail to have a permanent loan modification approved by the Court, or should thereafter default on terms of a modified loan, Secured Creditor may send Debtors and Debtors’ counsel a written notice of default of this Order. If the default is not cured within ten days of the date of such notice, Mortgagee may obtain an Order Vacating the

Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating any such payment(s) more than thirty (30) days in default. In the event that a notice of default is forwarded, it is agreed that acceptance of partial payment by the Secured Creditor shall not constitute a satisfaction or waiver of the notice of default, and that the Secured Creditor may file a Certification of Default absent a full cure. A copy of any Certification of Default and the proposed order must be served upon the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court. A certificate of service shall be filed by counsel for Mortgagee evidencing same.

6. Should Debtors' regular monthly payment amount change, Debtor shall be notified of such change by Mortgagee, and the monthly payment amount due under the terms of this Order shall change accordingly.

7. A copy of any Certification of Default and the proposed order must be served upon the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court. A certificate of service shall be filed by counsel for Mortgagee evidencing same.

8. In the event the instant bankruptcy case is converted to a case under Chapter 7, Debtors shall cure the pre-petition and post-petition mortgage arrears within ten (10) days from the date of such conversion. Should Debtor fail to cure said arrears within the ten (10) day period, such failure shall be deemed a default under the terms of this Order and Mortgagee may send Debtor and Debtors' counsel a written notice of default. If the default is not cured within ten (10) days from the date of said notice, counsel for Mortgagee may file a Certification of Default with the Court, upon notice to the trustee, Debtors, and Debtor's counsel, and the Court shall enter an Order granting relief from the Automatic Stay as to the Property.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Kelly A. DiMatteo
Geatano M. DiMatteo
Debtors

Case No. 15-23470-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Apr 12, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 14, 2017.
db/jdb +Kelly A. DiMatteo, Geatano M. DiMatteo, 1129 Jefferson Ave., Bellmawr, NJ 08031-2805

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 14, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 12, 2017 at the address(es) listed below:

Andrew M. Lubin on behalf of Creditor Select Portfolio Servicing, Inc. as servicing agent for U.S. Bank NA, successor trustee bkecf@milsteadlaw.com, alubin@milsteadlaw.com
Daniel McCormack on behalf of Joint Debtor Geatano M. DiMatteo d.mccormacklaw@verizon.net
Daniel McCormack on behalf of Debtor Kelly A. DiMatteo d.mccormacklaw@verizon.net
Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com

TOTAL: 6